

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 22-43569

QUANITA GEMES,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER GRANTING MOTION BY DEBTOR'S COUNSEL TO RELEASE EXEMPT FUNDS TO DEBTOR'S COUNSEL TO SATISFY ATTORNEY CHARGING LIEN, AND CANCELING SEPTEMBER 27, 2023 HEARING

This case is before the Court on the motion by Legal Solutions Group d/b/a Metro Detroit Bankruptcy Law Group, P.C. (the "Movant"), entitled "Motion to Release Exempt Funds to Debtor's Counsel to Satisfy Attorney Charging Lien" (Docket # 65, the "Motion"). The Court has reviewed the Motion, the objection to the Motion filed by the United States Trustee (Docket # 72), the objection to the Motion by the Chapter 7 Trustee (Docket # 77), and the Movant's brief in support of the Motion, filed September 24, 2023 (Docket # 79, the "Movant's Reply") and its exhibits. And the Court has reviewed all other relevant parts of the record in this case. Currently the Motion is scheduled for a telephonic hearing to be held on September 27, 2023 at 9:00 a.m. The Court concludes, however, that a hearing on the Motion is not necessary, and that the Motion should be granted, for the following reasons.

In this case, it is undisputed that the funds being held by the Chapter 7 Trustee in this case (the "Funds") are exempt property of the Debtor. The Debtor's counsel seeks an order requiring the Trustee to pay the Funds to the Debtor's counsel, rather than directly to the Debtor, to satisfy the Debtor's post-petition debt to Debtor's counsel for attorney fees. The Motion alleges that the Funds are subject to an attorney charging lien in favor of the Debtor's counsel.

The United States Trustee and the Chapter 7 Trustee have objected to the Motion. But the only party who has or claims to have a financial interest in the Funds (other than the Movant) is the Debtor. The Debtor was served with the Motion and has not objected to it. Rather, the Debtor has consented to the relief sought by the Motion. *See* Movant's Reply (Docket # 79) at pdf p. 10; Ex B to the Movant's Reply (Docket # 79-3).

Because of the Debtor's consent, the Court concludes that it can and should grant the Motion. Accordingly,

IT IS ORDERED that:

1. The Motion (Docket # 65) is granted.

2. The hearing on the Motion, scheduled for September 27, 2023 at 9:00 a.m., is canceled.
3. The Chapter 7 Trustee must promptly pay all of the Funds to the Movant Debtor's counsel, namely, Legal Solutions Group d/b/a Metro Detroit Bankruptcy Law Group, P.C., to be applied to the balance of attorney fees that the Debtor owes to Debtor's counsel.

Signed on September 26, 2023



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge